

RECORDING REQUESTED BY:

Rainbow Municipal Water District

WHEN RECORDED MAIL TO:

Rainbow Municipal Water District
3707 Old Highway 395
Fallbrook, California 92028

NO FEE REQUIRED PER
GOVERNMENT CODE SECTION 27383

NOTICE OF
LOW WATER PRESSURE CONDITION

THIS NOTICE is made this _____ day of _____, 20__ by **RAINBOW MUNICIPAL WATER DISTRICT** (hereinafter referred to as "District"), a public agency organized, existing and operating under the Municipal Water District Law of 1911, ("Municipal Water District Law") California Water Code §71000, et seq., and _____ (hereinafter referred to as the "Declarant").

RECITALS

- A. Pursuant to the authority cited above, the District provides water and/or sewer service in portions of San Diego County, California.
- B. The Declarant of Property, County of San Diego, legally described as follows:

Assessor's Parcel No. _____

Site Address: _____

is requesting that the District provide water service to the above real property, attached hereto. Said property is situated in a location that could result in pressure problems.

The water pressures available to said property (or portion) will be below normal pressures. Declarant hereby agrees to install at his cost a booster system to be owned, operated and maintained by the Declarant, his successors and assigns.

Declarant, his successors and assigns, hereby agrees to hold the District harmless from or on account of any damages arising from low pressure on the above described property. The District's acceptance of the water system to be installed hereunder will be subject to the completion of the installation of a booster system which shall also include a low pressure protector switch by the Declarant.

DECLARANT HEREBY DECLARES:

1. The foregoing Recitals are hereby incorporated into this Agreement.
2. This Notice shall inure to the benefit of, be binding upon and become a covenant that runs with the real property. Every person who now or hereafter owns or acquires any right, title or interest in or to any portions of the real property is and shall, by recordation of this Notice in the Office of the County Recorder, San Diego County, California, be conclusively deemed to have notice of the stated water pressure condition, whether or not any reference to this Notice is contained in the instrument by which such person acquires an interest in the real property.
3. Declarant hereby subjects the real property (and all portions thereof) to this notice and declares that it is its specific intent that this Notice set forth herein shall be deemed a covenant running with the land and shall pass to and be binding upon the Declarant's successors entitled to the real property (or any portions thereof).
4. Each and every contract, deed or other instrument hereafter executed covering or conveying the real property (or any portion thereof) shall conclusively be deemed to have been executed, delivered and accepted subject to this Notice by recordation of this Notice in the Office of the County Recorder, San Diego County, California. The Declarant hereby declares its understanding and intent that the circumstances concerning the water pressure condition, as cited in the Declaration and as set forth herein, touch and concern the land in that the Declarant's legal interest in the real property has been considered by Declarant in Declarant's determination of the value of the real property and Declarant's establishing the value of the dwelling unit thereon at the time said real property was (or will be) offered for sale to the general public by Declarant. The Declarant hereby further declares its understanding and intent that the benefit of this Notice touch and concern the land by enhancing and increasing the value and use of the real property by the Declarant.
5. The terms of this Notice may be enforced by the District or its successors or assigns. In the event of any controversy, claim or dispute relating to this Notice or the breach thereof, which the District is or shall attempt to enforce, the District shall be entitled to recover from said party reasonable expenses, attorney's fees and costs, if the District prevails in such controversy.

IN WITNESS WHEREOF, the undersigned have executed this Notice on the date first hereinabove written.

DECLARANT BY:
Owner / Authorized Agent _____

ACCEPTED BY:
Rainbow Municipal Water District _____

Date: _____

Date: _____

Name: _____
Please Print

Name: _____
District Representative

Signature: _____

Signature: _____

NOTARY ACKNOWLEDGMENT OF DECLARANT MUST ACCOMPANY THIS DOCUMENT

